

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA
WESTERN DIVISION

TIMOTHY ARMSTRONG, et al.,)	No. 07-cv-4107
)	
Plaintiffs,)	
)	ORDER GRANTING PLAINTIFFS'
v.)	MOTION FOR DEFAULT JUDGMENT
)	AGAINST JOHN BRDA, CHRISTOPHER
AMERICAN PALLET LEASING, INC., et al.,)	CURNUTT, BRADLEY DOSS, SUZANNE
)	WONDERLY, BYRON HUDSON, KEITH
Defendants.)	KERBAUGH, AND ROBERT VINSON

This matter came before the Court on Plaintiffs' unresisted Motions for Default Judgment (Doc. 591 and 592), filed April 23, 2012 against Defendants John Brda, Christopher Curnutt, Bradley Doss, Suzanne Wonderly, Byron Hudson, Keith Kerbaugh, and Robert Vinson, under Rule 55 of the Federal Rules of Civil Procedure. After having considered the arguments and authorities submitted by the Plaintiffs, the Court finds as follows:

1. A default was entered by the Clerk of the Court against Defendants John Brda, Christopher Curnutt, Bradley Doss, Suzanne Wonderly, Byron Hudson, Keith Kerbaugh, and Robert Vinson on April 23, 2012.
2. Defendants John Brda, Christopher Curnutt, Bradley Doss, Suzanne Wonderly, Byron Hudson, Keith Kerbaugh, and Robert Vinson are not minors, nor incompetent persons, nor members of the military service of the United States.
3. Defendants John Brda, Christopher Curnutt, Bradley Doss, Suzanne Wonderly, Byron Hudson, Keith Kerbaugh, and Robert Vinson did not appear or otherwise defend in this action.

4. Upon motion and for cause, the properly supported Motions for Default Judgment against Defendants John Brda, Christopher Curnutt, Bradley Doss, Suzanne Wonderly, Byron Hudson, Keith Kerbaugh, and Robert Vinson shall be granted.

5. The acts of Defendants John Brda, Christopher Curnutt, Bradley Doss, and Suzanne Wonderly violated the Racketeer Influenced and Corrupt Organization ("RICO") § 1962(a), § 1962(c) and § 1962(d); constituted conversion, negligent misrepresentation and fraudulent misrepresentation under Iowa law; violated Section 10(b) and Rule 10(b-5) of the Securities Exchange Act of 1934; and violated Sections 11, 12 and 18 of the Securities Act of 1933.

6. The acts of Defendants Byron Hudson, Keith Kerbaugh, and Robert Vinson violated the Racketeer Influenced and Corrupt Organization ("RICO") § 1962(a), § 1962(c) and § 1962(d); constituted breach of fiduciary duty, conversion, negligent misrepresentation and fraudulent misrepresentation under Iowa law; violated Section 10(b) and Rule 10(b-5) of the Securities Exchange Act of 1934; and violated Sections 11, 12, 18, and 20 of the Securities Act of 1933.

THEREFORE, IT IS ADJUDGED AND ORDERED that:

1. The Plaintiffs' Motion for Default Judgment Against Defendants John Brda, Christopher Curnutt, Bradley Doss, and Suzanne Wonderly (Doc. 591) is GRANTED and DEFAULT JUDGMENT IS HEREBY ENTERED pursuant to Federal Rule of Civil Procedure 55;

2. The Plaintiffs' Motion for Default Judgment Against Defendants Byron Hudson, Keith Kerbaugh, and Robert Vinson (Doc. 592) is GRANTED and DEFAULT JUDGMENT IS HEREBY ENTERED pursuant to Federal Rule of Civil Procedure 55;

3. Judgment is entered against the Defendant John Brda in the amount of \$900,000.00, plus statutory interest from the date of judgment;

4. Judgment is entered against Defendant Christopher Curnutt in the amount of \$900,000.00, plus statutory interest from the date of judgment;

5. Judgment is entered against Defendants Bradley Doss and Suzanne Wonderly, jointly and severally, in the amount of \$272,730.00, plus statutory interest from the date of judgment;

6. Judgment is entered against Defendants Byron Hudson, Keith Kerbaugh, and Robert Vinson, jointly and severally, in the amount of \$4,358,671.57, plus statutory interest from the date of judgment.

IT IS SO ORDERED this 21st day of May, 2012.

BY THE COURT:



PAUL A. ZOSS
CHIEF MAGISTRATE JUDGE
UNITED STATES DISTRICT COURT